

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:17-CR-82-TAV-CCS
)	
RANDALL KEITH BEANE and)	
HEATHER ANN TUCCI-JARRAF,)	
)	
Defendants.)	

ORDER

This criminal case is before the Court on the “Praecipe, Declaration of Due Cause, and Judgment and Order of Dismissal” filed by defendant Heather Ann Tucci-Jarraf [Doc. 98]. This document purports to be a judgment order dismissing the indictment against defendant Tucci-Jarraf [Doc. 3], along with various factual declarations in support. However, the Court did not authorize the filing of this document, and as both the Court and United States Magistrate Judge C. Clifford Shirley, Jr., have previously explained [Docs. 62, 69], the defendants here lack authority to unilaterally nullify the indictment or void the charges against them.¹

Accordingly, it is hereby **ORDERED** that the “Praecipe, Declaration of Due Cause, and Judgment and Order of Dismissal” filed by defendant Tucci-Jarraf [Doc. 98] is

¹ Defendant Tucci-Jarraf has already filed one motion to dismiss the indictment [Doc. 43], which the Court denied [Doc. 69]. The instant filing is not styled as a motion; nor does it seem to request any action by this Court. Thus, the Court does not construe this filing as a motion. If defendant Tucci-Jarraf wishes to file a second motion to dismiss the indictment, she must do so in a separate filing that expressly requests such relief.

STRICKEN from the record. The Clerk of Court is thus **DIRECTED** to withdraw this document [Doc. 98] from the docket in this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE